

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

Minute Entry

Hearing Information:

Debtor: SWIFT AIR, LLC
Case Number: 2:12-BK-14362-CGC **Chapter:** 11
Date / Time / Room: THURSDAY, JANUARY 03, 2013 01:30 PM 6TH FLOOR #601
Bankruptcy Judge: CHARLES G. CASE II
Courtroom Clerk: RHONDA VAUGHAN
Reporter / ECR: KAYLA COLASONT

Matters:

- 1) HEARING ON (PROPOSED) DISCLOSURE STATEMENT UNDER SECTION 1125 OF THE BANKRUPTCY CODE FILED BY MICHAEL W. CARMEL OF MICHAEL W. CARMEL, LTD. ON BEHALF OF SWIFT AIR, LLC . (ANDREA HANDEL - T)
R / M #: 247 / 0
- 2) MOTION TO CONVERT CHAPTER 11 CASE TO CHAPTER 7 FILED BY CAROLYN J. JOHNSEN OF JENNINGS STROUSS & SALMON PLC ON BEHALF OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS .
R / M #: 284 / 0
- 3) APPLICATION FOR ADMINISTRATIVE EXPENSES FILED BY HENRY S. DAVID OF THE DAVID FIRM ON BEHALF OF STARFLITE INTERNATIONAL, INC.
R / M #: 286 / 0
- 4) ADM: 2:12-bk-14362-CGC
STATUS HEARING RE STIPULATED ORDER REGARDING RELEASE OF RECORDS AND PROCEDURE TO RESOLVE DISPUTED LIEN filed by STEVEN D. JEROME of SNELL & WILMER L.L.P. on behalf of Red Apple Aviation, Inc
R / M #: 322 / 0

Appearances:

MICHAEL W. CARMEL, ATTORNEY FOR SWIFT AIR, LLC
CAROLYN JOHNSEN, ATTORNEY FOR OFFICIAL COMMITTEE OF UNSECURED CREDITORS
CATHY REECE, ATTORNEY FOR CHICAGO BLACKHAWKS
CINDY GREENE, ATTORNEY FOR STARFLITE INTERNATIONAL
PHIL RUDD, ATTORNEY FOR SAIPAN AIR
JORDAN KROOP, ATTORNEY FOR BANNER SEVENTEEN AND MILWAUKEE BUCKS
GREG LUKENBILLE, PRO SE CREDITOR (T)
ADAM FERGUSON, ATTORNEY FOR SAIPAN AIR (T)
GERALD GORDON, ATTORNEY FOR KMW LEASING
STEVEN FOX, ATTORNEY FOR DEBTOR
STEVE JEROME, ATTORNEY FOR RED APPLE AVIATION
MARK WELSH, ATTORNEY FOR OFFICIAL COMMITTEE OF UNSECURED CREDITORS
MR. POLSKY, ATTORNEY FOR MILWAUKEE BUCKS
DAVID HINDMAN, ATTORNEY FOR TRASN JET
HENRY DAVID, STARFLITE INTERNATIONAL
ANDREA HENDEL, ATTORNEY FOR DEPARTMENT OF JUSTICE

UNITED STATES BANKRUPTCY COURT
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(continue)... 2:12-BK-14362-CGC

THURSDAY, JANUARY 03, 2013 01:30 PM

Proceedings:

- (1) HEARING ON (PROPOSED) DISCLOSURE STATEMENT UNDER SECTION 1125 OF THE BANKRUPTCY CODE FILED BY MICHAEL W. CARMEL OF MICHAEL W. CARMEL, LTD. ON BEHALF OF SWIFT AIR, LLC . (ANDREA HANDEL - T)
- (2) MOTION TO CONVERT CHAPTER 11 CASE TO CHAPTER 7 FILED BY CAROLYN J. JOHNSEN OF JENNINGS STROUSS & SALMON PLC ON BEHALF OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS .
- (3) APPLICATION FOR ADMINISTRATIVE EXPENSES FILED BY HENRY S. DAVID OF THE DAVID FIRM ON BEHALF OF STARFLITE INTERNATIONAL, INC.
- (4) STATUS HEARING RE STIPULATED ORDER REGARDING RELEASE OF RECORDS AND PROCEDURE TO RESOLVE DISPUTED LIEN filed by STEVEN D. JEROME of SNELL & WILMER L.L.P. on behalf of Red Apple Aviation, Inc

Ms. Johnsen addresses her opposition to the Motion to File Projections under Seal and argues there is no plan that is effective at this time.

Mr. Fox addresses the concerns of counsel and discusses the revised business plan. He advises he will work with Ms. Johnsen regarding a schedule. Mr. Fox argues the disclosure statement and plan is not worthy of debate today advises the plan has not been withdrawn but adjourned upon consent of debtor.

COURT: IT IS ORDERED SETTING AN EVIDENTIARY HEARING ON JANUARY 22, 2013, AT 1:30 P.M. ON THE MOTION TO CONVERT CHAPTER 11 CASE TO CHAPTER 7 AND ON THE APPLICATION FOR ADMINISTRATIVE EXPENSES FILED ON BEHALF OF STARFLITE INTERNATIONAL.

IT IS FURTHER ORDERED SETTING A PRELIMINARY HEARING ON THE MOTION FOR STAY RELIEF FILED ON BEHALF OF THE CHICAGO BLACKHAWKS ON JANUARY 22, 2013, AT 1:30 P. M.; THE COURT WILL SCHEDULE A FINAL HEARING AT THIS TIME.

Mr. Jerome discusses the Stipulated Order Regarding release of Records and request a 60 day discovery deadline with an evidentiary hearing set thereafter.

COURT: IT IS ORDERED SETTING A DISCOVERY DEADLINE ON MARCH 4, 2013, AND A 1/2 DAY EVIDENTIARY HEARING ON MARCH 12, 2013, AT 1:30 P.M. A JOINT PRETRIAL STATEMENT IS DUE MARCH 8, 2013, ANY WITNESSES OR EXHIBITS NOT IDENTIFIED OR EXCHANGED WILL NOT BE ALLOWED.